
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard Schneider

Attorney Docket No.:

IGT1P288X1/AC020CIP1

Application No.: 10/699,260

Examiner: Laneau, Ronald

Filed: October 31, 2003

Group: 3714

Title: PLAYER SPECIFIC REWARDS

Confirmation No.: 2064

CERTIFICATE OF EFS-WEB TRANSMISSION

I hereby certify that this correspondence is being transmitted electronically through EFS-WEB to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450 on January 9, 2009.

Signed: _____/Danielle Jones/_____
Danielle Jones

**INFORMATION DISCLOSURE STATEMENT AS NOTICE
OF LITIGATION UNDER 37 CFR §§1.56 AND 1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §§ 1.56 and 1.97, and MPEP § 2001.06(c), Applicants respectfully submit the following Information Disclosure Statement and Notice of Litigation for the attention of the Examiner in the above-identified application.

NOTICE OF LITIGATION

The subject matter of the above-identified application may be involved in the following litigation:

Plaintiff: Steven Brandstetter, an individual; and J&S Gaming, a New York Corporation

Defendants: Bally Gaming Inc., a Nevada Corporation, d/b/a Bally Technologies, Inc.;

International Game Technology, a Nevada Corporation; Acres Gaming, Inc., a

Nevada Corporation; Las Vegas Gaming, Inc., a Nevada Corporation; Scott Boyd,

an individual, a Nevada Corporation; Mickey Roemer, an individual; and DOES I

though X inclusive; and Roe Corporations I though X, inclusive

This case is pending in the District Court, Clark County Nevada.

The case number is A571641.

This case is currently Active.

The MPEP states:

2001.06(c) Information From Related Litigation [R-2]

Where the subject matter for which a patent is being sought is or has been involved in litigation, the existence of such litigation and any other material information arising therefrom must be brought to the attention of the U.S. Patent and Trademark Office. Examples of such material information include evidence of possible prior public use or sales, questions of inventorship, prior art, allegations of "fraud," "inequitable conduct," and "violation of duty of disclosure." Another example of such material information is any assertion that is made during litigation which is contradictory to assertions made to the examiner. *Environ Prods., Inc. v. Total Containment, Inc.*, 43 USPQ2d 1288, 1291 (E.D. Pa. 1997). Such information might arise during litigation in, for example, pleadings, admissions, discovery including interrogatories, depositions, and other documents and testimony.

Applicants believe it is possible that information material to the above-identified application may arise in the course of the above-identified litigation. Thus, the purpose of this disclosure is to bring to the attention of the Patent and Trademark Office the existence of the litigation so that the Examiner in the above-identified application can make an independent inquiry into the litigation if the Examiner deems it necessary. It is Applicants' intent to disclose any material information that may arise in the future from the above-identified litigation.

A copy of the Compliant and Answer in the above-identified litigation are identified in the attached PTO Form 1449.

It is believed that no fees are due in connection with the filing of this Information Disclosure Statement. However, if it is determined that any fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 504480 (Order No.IGT1P288X1).

Dated: January 9, 2009

Respectfully submitted,
Weaver Austin Villeneuve & Sampson LLP

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